REMARKS

The present application was filed on December 4, 2000 with claims 1-20. Claims 7, 8, 13, 19 and 20 have been canceled. Claims 1-6, 9-12 and 14-18 are pending, and claims 1, 11 and 14 are the pending independent claims.

In the outstanding Office Action dated December 13, 2005, the Examiner: (i) rejected claims 1, 2, 6, 9-12, 14 and 18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,473,778 to Gibbon (hereinafter "Gibbon"); and (ii) rejected claims 3-5 and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Gibbon in view of U.S. Patent No. 6,654,030 to Hui (hereinafter "Hui").

Applicants respectfully request reconsideration of the present application in view of the following remarks.

Regarding the rejection of claims 1, 2, 6, 9-12, 14 and 18 under 35 U.S.C. §103(a) as being unpatentable over Gibbon, Applicants respectfully assert that the cited combination fails to establish a prima facie case of obviousness under 35 U.S.C. §103(a), as specified in M.P.E.P. §2143 in that the cited combination fails to teach or suggest all the claim limitations. For at least this reason, a prima facie case of obviousness has not been established.

Independent claim 1 recites a method of multi-stage creation of multimedia content. Multimedia assets are incorporated into a framework as a series of related frames comprising a header frame, a thumbnail frame, a meta frame, one or more media frames and an end of sequence frame. A multimedia description file is created in a template for formatting multimedia assets. The multimedia assets and the multimedia description file are combined in the template through a batch-processing program to create a multimedia repository file executable on a multimedia player. The multimedia description file and the multimedia repository file are stored as a single multimedia repository file on a storage device. The single multimedia repository file is accessed by at least one authoring session manager for access to the multimedia assets, for creation of a modified multimedia description file in a template, and for creation of a modified multimedia repository file upon combination of the multimedia assets and the modified multimedia description file. For each authoring session manager, the modified multimedia description file and the modified multimedia

2

repository file are stored as a single modified multimedia repository file on a storage device associated with the authoring session manager, wherein the modified multimedia repository file is configured for execution on a multimedia player. Independent claims 11 and 14 recite similar limitations.

The examiner contends that Gibbon discloses the incorporation of multimedia assets into a framework as a series of related frames. The Examiner further contends that the slide show icon in the slide show document is equivalent to a thumbnail frame, the video frames are media frames, and the frame-reference transcript is equivalent to the meta frame. Further, the Examiner contends that a hypermedia document should have a title which is disclosed in the first frame of the slide show and should have an ending which is disclosed in the last frame of the sequence. However, the existence of slide show icons and a transcript in Gibbon fails to render obvious the incorporation of a thumbnail frame and a meta frame into a framework with one or more media frames. Such a slide show and transcript may result from other techniques that do not include incorporation of such frames into a framework. Further, a statement that a slide show "should" have a title and an ending, as provided by the Examiner, does not render obvious the incorporation of a header frame and an end of sequence frame into a framework with one or more media frames, a thumbnail frame and a meta frame.

The Examiner further contends that Gibbon discloses the combining of multimedia assets and a multimedia description file to create a multimedia repository file executable on a multimedia player. However, Gibbon only discloses the application of a template set to multimedia descriptors resulting in an HTML representation. An HTML representation differs significantly from a multimedia repository file executable on a multimedia player. The Examiner further contends that it would have been obvious to modify Gibbon to include a batch-processing program. However, the Examiner only restates the independent claim language of the present invention in providing support for this obviousness contention, and thus, the Office Action fails to support why it would be obvious to modify Gibbon to include a batch-processing program in light of a template set that creates an HTML representation. Thus, <u>Gibbon fails to suggest or disclose the combining of multimedia assets and a multimedia description file through a batch-processing program to create of a multimedia</u>

<u>repository file that is executable on a multimedia player,</u> as recited in the independent claims of the present invention.

Additionally, the Examiner contends that Gibbon discloses the storing of a multimedia description file and a multimedia repository file, which is a combination of the multimedia assets and the multimedia description file, as a single multimedia repository file on storage device. However, as admitted by the Examiner, Gibbon only discloses the existence of an HTML file, which is a combination of multimedia descriptors and a template. Thus, even assuming *arguendo*, that the multimedia repository file does not differ significantly from the HTML file, <u>Gibbon does not disclose that the HTML file is stored with the multimedia descriptors as a single file.</u> Therefore, <u>Gibbon fails to suggest or disclose the storing of a multimedia description file and a multimedia repository file as a single multimedia repository file,</u> as recited in the independent claims of the present invention.

As admitted by the Examiner, Gibbon fails to disclose the accessing of the single multimedia repository file for creation of a modified multimedia description file in a template, and the accessing of the single multimedia repository file for the creation of a modified multimedia repository file upon combination of the multimedia assets and the modified multimedia description file. The Examiner contends that whenever images or audio data is changed or added, the description file for the image and audio data will be modified to be proper to the change. However, the Examiner fails to address why it would have been obvious, given Gibbon, to access a single multimedia repository file, representing a combination of a multimedia description file and a multimedia repository file, for modification purposes, when no such single multimedia repository file, storing both the HTML file and the multimedia descriptors, exists in Gibbon. Therefore, <u>the Gibbon fails to suggest or disclose the creation of a modified multimedia description file and the creation of a modified multimedia repository file through the accessing of the single multimedia repository file,</u> as recited in the independent claims of the present invention.

The Examiner further admits that Gibbon fails to disclose the storing of the modified multimedia description file and the modified multimedia repository file as a single modified multimedia repository file on a storage device associated with an authoring session manager. The
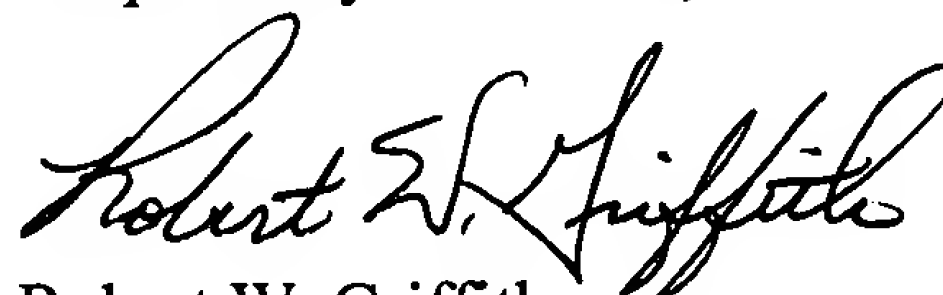
obviousness rejection of this element suffers from the same deficiencies as those described above with regard to the accessing step. The Examiner fails to point to a portion of Gibbon that discloses anything remotely close to this element of the independent claims. For example, Gibbon fails to suggest or disclose anything regarding the storage of a modified file on a device associated with an authoring session manager. Therefore, Applicants assert that Gibbon <u>fails to suggest or disclose the storing of a modified multimedia description file and a modified multimedia repository file as a single modified multimedia repository file on a storage device associated with an authoring session manager,</u> as recited in the independent claims of the present invention.

Dependent claims 2, 6, 9, 10, 12 and 18 are patentable at least by virtue of their dependency from independent claims 1, 11 and 14, and also recite patentable subject matter in their own right. Accordingly, withdrawal of the §103(a) rejection of claims 1, 2, 6, 9-14 and 18 is respectfully requested.

Regarding the rejection of claims 3-5 and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Gibbon in view of Hui, Applicants assert that dependent claims 3-5 and 15-17 are patentable at least by virtue of their dependency from independent claims 1 and 14. Further, one or more of dependent claims 3-5 and 15-17 recite patentable subject matter in their own right. Accordingly, withdrawal of the §103(a) rejection of claims 3-5 and 15-17 is respectfully requested.

In view of the above, Applicants believe that claims 1-6, 9-12 and 14-18 are in condition for allowance, and respectfully request withdrawal of the §103(a) rejections.

Respectfully submitted,

Date: March 13, 2006

Robert W. Griffith
Attorney for Applicant(s)
Reg. No. 48,956
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-4547